

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 405 be amended to read as follows:

- 1 Page 9, between lines 15 and 16, begin a new paragraph and insert:
- 2 "SECTION 17. IC 36-7-13-12, AS AMENDED BY P.L.224-2003,
- 3 SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2004]: Sec. 12. (a) If a municipal or county executive has
- 5 submitted an application to an advisory commission on industrial
- 6 development requesting that an area be designated as a district under
- 7 this chapter and the advisory commission has compiled and prepared
- 8 the information required under section 11 of this chapter concerning the
- 9 area, the advisory commission may adopt a resolution designating the
- 10 area as a district if it makes the findings described in subsection (b),
- 11 (c), (d), or (e). In a county described in subsection (c), an advisory
- 12 commission may designate more than one (1) district under subsection
- 13 (c).
- 14 (b) For an area located in a county having a population of more than
- 15 one hundred twenty thousand (120,000) but less than one hundred
- 16 thirty thousand (130,000), an advisory commission may adopt a
- 17 resolution designating a particular area as a district only after finding all
- 18 of the following:
- 19 (1) The area contains a building or buildings:
- 20 (A) with at least one million (1,000,000) square feet of usable
- 21 interior floor space; and
- 22 (B) that is or are vacant or will become vacant due to the
- 23 relocation of an employer.
- 24 (2) At least one thousand (1,000) fewer persons are employed in

the area than were employed in the area during the year that is ten (10) years previous to the current year.

(3) There are significant obstacles to redevelopment of the area due to any of the following problems:

- (A) Obsolete or inefficient buildings.
- (B) Aging infrastructure or inefficient utility services.
- (C) Utility relocation requirements.
- (D) Transportation or access problems.
- (E) Topographical obstacles to redevelopment.
- (F) Environmental contamination.

(4) The unit has expended, appropriated, pooled, set aside, or pledged at least one hundred thousand dollars (\$100,000) for purposes of addressing the redevelopment obstacles described in subdivision (3).

(5) The area is located in a county having a population of more than one hundred twenty thousand (120,000) but less than one hundred thirty thousand (130,000).

(c) For a county having a population of more than one hundred eighteen thousand (118,000) but less than one hundred twenty thousand (120,000), an advisory commission may adopt a resolution designating not more than two (2) areas as districts. An advisory commission may designate an area as a district only after finding the following:

(1) The area meets either of the following conditions:

- (A) The area contains a building with at least seven hundred ninety thousand (790,000) square feet, and at least eight hundred (800) fewer people are employed in the area than were employed in the area during the year that is fifteen (15) years previous to the current year.
- (B) The area contains a building with at least ~~four~~ **three** hundred ~~forty eighty-six~~ thousand ~~(440,000)~~ **(386,000)** square feet, and at least four hundred (400) fewer people are employed in the area than were employed in the area during the year that is fifteen (15) years previous to the current year.

(2) The area is located in or is adjacent to an industrial park.

(3) There are significant obstacles to redevelopment of the area due to any of the following problems:

- (A) Obsolete or inefficient buildings.
- (B) Aging infrastructure or inefficient utility services.
- (C) Utility relocation requirements.
- (D) Transportation or access problems.
- (E) Topographical obstacles to redevelopment.
- (F) Environmental contamination.

(4) The area is located in a county having a population of more than one hundred eighteen thousand (118,000) but less than one hundred twenty thousand (120,000).

(d) For an area located in a county having a population of more than

two hundred thousand (200,000) but less than three hundred thousand (300,000), an advisory commission may adopt a resolution designating a particular area as a district only after finding all of the following:

- (1) The area contains a building or buildings:
 - (A) with at least one million five hundred thousand (1,500,000) square feet of usable interior floor space; and
 - (B) that is or are vacant or will become vacant.
- (2) At least eighteen thousand (18,000) fewer persons are employed in the area at the time of application than were employed in the area before the time of application.
- (3) There are significant obstacles to redevelopment of the area due to any of the following problems:
 - (A) Obsolete or inefficient buildings.
 - (B) Aging infrastructure or inefficient utility services.
 - (C) Utility relocation requirements.
 - (D) Transportation or access problems.
 - (E) Topographical obstacles to redevelopment.
 - (F) Environmental contamination.
- (4) The unit has expended, appropriated, pooled, set aside, or pledged at least one hundred thousand dollars (\$100,000) for purposes of addressing the redevelopment obstacles described in subdivision (3).
- (5) The area is located in a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000).

(e) For an area located in a county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000), an advisory commission may adopt a resolution designating a particular area as a district only after finding all of the following:

- (1) The area contains a building or buildings:
 - (A) with at least eight hundred thousand (800,000) gross square feet; and
 - (B) having leasable floor space, at least fifty percent (50%) of which is or will become vacant.
- (2) There are significant obstacles to redevelopment of the area due to any of the following problems:
 - (A) Obsolete or inefficient buildings as evidenced by a decline of at least seventy-five percent (75%) in their assessed valuation during the preceding ten (10) years.
 - (B) Transportation or access problems.
 - (C) Environmental contamination.
- (3) At least four hundred (400) fewer persons are employed in the area than were employed in the area during the year that is fifteen (15) years previous to the current year.
- (4) The area has been designated as an economic development target area under IC 6-1.1-12.1-7.

1 (5) The unit has appropriated, pooled, set aside, or pledged at least
2 two hundred fifty thousand dollars (\$250,000) for purposes of
3 addressing the redevelopment obstacles described in subdivision
4 (2).

5 (6) The area is located in a county having a population of more
6 than three hundred thousand (300,000) but less than four hundred
7 thousand (400,000).

8 (f) The advisory commission, or the county or municipal legislative
9 body, in the case of a district designated under section 10.5 of this
10 chapter, shall designate the duration of the district, but the duration may
11 not exceed fifteen (15) years (at the time of designation).

12 (g) Upon adoption of a resolution designating a district, the advisory
13 commission shall submit the resolution to the budget committee for
14 review and recommendation to the budget agency.

15 (h) When considering a resolution, the budget committee and the
16 budget agency must make the following findings:

17 (1) The area to be designated as a district meets the conditions
18 necessary for designation as a district.

19 (2) The designation of the district will benefit the people of Indiana
20 by protecting or increasing state and local tax bases and tax
21 revenues for at least the duration of the district.

22 (i) The income tax incremental amount and the gross retail
23 incremental amount may not be allocated to the district until the budget
24 agency approves the resolution."

25 Renumber all SECTIONS consecutively.

(Reference is to ESB 405 as printed February 20, 2004.)

Representative Adams T